

Appl. No. 10/057,189  
Amdt. dated 6/1/2005  
Reply to Office action of March 9, 2005  
page 18 of 21

Docket: 020101

## **REMARKS/ARGUMENTS**

### **STATUS OF PROSECUTION**

Claims 1-3, 6-21, 24-39, and 42-59 are currently pending.

Claims 1, 19, and 37 have been amended.

Claims 2-5, 11-18, 20-23, 29-36, 38-41, and 47-59 have been withdrawn.

New Claims 60, 61, and 62 have been added.

### **OBJECTION TO THE ABSTRACT**

The Examiner objected to the Abstract for being a copy of the Summary, paragraphs 2 and 3. Applicant traverses and requests that the objection be reconsidered and withdrawn.

Applicant respectfully disagrees that the Abstract is a copy of paragraphs 2 and 3 of the Summary. There are certain statements made in the Abstract that also exist in the Summary, but it is not a copy of the Summary.

The purpose of the Abstract is "to enable the United States Patent and Trademark Office and the public generally to determine quickly from a cursory inspection the nature and gist of the technical disclosure." MPEP 608.01(b) Further, "If the abstract contained in the application does not comply with the guidelines, the examiner should *point out the defect* to the applicant in the first Office action, or at the earliest point in the prosecution that the defect is noted, and require compliance with the guidelines." *Id.* (emphasis added). It is unclear from the office action why the Abstract is defective.

The Abstract is a concise statement reflecting the subject matter of independent claims 1 and 11 as originally filed. As such, Applicant submits that the Abstract as submitted in the Application is indeed a "concise statement of the technical disclosure of the patent," and includes "that which is new in the art to which the invention pertains," as required by the MPEP Abstract Guidelines cited by the Examiner. It is also noted that Abstracts are limited to 150 words. *Id.*

Appl. No. 10/057,189  
Amdt. dated 6/1/2005  
Reply to Office action of March 9, 2005  
page 19 of 21

Docket: 020101

#### ALLOWABLE SUBJECT MATTER

The Examiner indicated that claims 4-5, 22-23, and 40-41 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Amendments have been made to original independent claims 1, 19, and 37, and new claims 60-62 have been added, resulting in six independent claims that represent the limitations of original dependent claims 4-5, 22-23, and 40-41. Thus, these six claims are allowable according to the Examiner. The claims were constructed as follows:

Applicant amended independent claim 1 to include all of the limitations of dependent claims 2-4 and has withdrawn dependent claims 2-5. Applicant has added new independent claim 60 which includes the limitations of original claims 1-5.

Applicant amended independent claim 19 to include all of the limitations of dependent claims 20-22 and has withdrawn dependent claims 20-23. Applicant has added new independent claim 61 which includes the limitations of original claims 19-23.

Applicant amended independent claim 37 to include all of the limitations of dependent claims 38-40 and has withdrawn dependent claims 38-41. Applicant has added new independent claim 62 which includes the limitations of original claims 37-41.

Accordingly, Applicant requests allowance of independent claims 1, 19, 37, and 60-62.

As independent claim 1 is allowable, claims 6-10 which depend from claim 1 are now in condition for allowance as well.

As independent claim 19 is allowable, claims 24-28 which depend from claim 19 are now in condition for allowance.

As independent claim 37 is allowable, claims 42-46 which depend from claim 37 are now in condition for allowance.

Accordingly, Applicant requests allowance of dependent claims 6-10, 24-28, and 42-46.

Appl. No. 10/057,189  
Amdt. dated 6/1/2005  
Reply to Office action of March 9, 2005  
page 20 of 21

Docket: 020101

**THE CLAIM REJECTIONS UNDER 35 USC §102 (e)**

Claims 1-2, 6, 11-13, 19-20, 24, 29-31, and 55-57 have been rejected under 35 USC §102(e) as anticipated by Lancaster et al. (U.S. Patent No. 6,229,546). Applicant traverses the rejection. Claims 2, 11-13, 20, 29-31, and 55-57 have been withdrawn.

Claims 1, 6, 19, and 24 are now in condition for allowance for the reasons discussed above. Dependent claim 6, depending from claim 1, and dependent claim 24, depending from claim 19, are distinguished over Lancaster particularly in light of the amendments to independent claims 1 and 19.

Reconsideration and withdrawal of the rejection is requested.

**THE CLAIM REJECTIONS UNDER 35 USC §103**

Claims 3, 7-10, 21, 25-28, 29, 43-46, 14-18, 32-36, 50-54, and 58-59 have been rejected under 35 USC §103(a), the Examiner alleging that they are obvious over Lancaster et al. (U.S. Patent No. 6,229,546) in view of Knopp (U.S. Patent No. 6,757,445).

Applicant traverses the rejection. Claims 3, 21, 29, 14-18, 32-36, 50-54, and 58-59 have been withdrawn.

Claims 7-10, 25-28, 43-46, are now in condition for allowance particularly in light of the amendments made to independent claims 1, 19, and 37, from which these claim sets respectively depend. The amendments made to these independent claims incorporated limitations not found in Lancaster or Knopp, alone or in combination. Accordingly, dependent claims 7-10, 25-28, 43-46 are similarly distinguished.


Reconsideration and withdrawal of the rejection is requested.

Appl. No. 10/057,189  
Amdt. dated 6/1/2005  
Reply to Office action of March 9, 2005  
page 21 of 21

**Docket: 020101**

No new matter has been added to the application because of any action taken in this Response. For at least the above discussed reasons, applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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Under 37 CFR §1.34(a)

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